UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v. Case No. 3:22-cv-487-TJC-MCR

MICHAEL RANDO, et al.,

Defendants.

ORDER

The Court has before it Defendants' counsel's request for $225,000 for attorneys' fees, Michael and Valerie Rando's request for $50,000 a month for personal expenses, and the Receiver's Notice informing the Court that the Receiver and her team have incurred almost $300,000, exclusive of costs, in fees. (Docs. 51, 61). And this case is just getting started. Thus, the Court's concern that the Receivership Estate will be consumed by administrative and attorneys' fees is proving true. The Court appreciates the parties' efforts and information regarding scheduling a settlement conference (Doc. 60); in light of the already astronomical costs of the Estate, a successful settlement conference has become even more important.

Accordingly, it is hereby

ORDERED:

1. This case is hereby referred to the Honorable Monte C. Richardson, United States Magistrate Judge, with his consent, to conduct a settlement conference. The settlement conference is scheduled for **July 25, 2022**.[1] The parties should contact Judge Richardson's chambers at (904) 301-6740 to set the time of the settlement conference. The Court adopts the schedule proposed by the parties leading up the settlement conference as follows:

A. Submit Draft Permanent Injunctions by July 8, 2022.

B. Submit Confidential Ex Parte Letters by July 12, 2022.

C. Pre-Settlement Conference Call held on July 18, 2022.[2]

The parties are urged to take full advantage of this opportunity to resolve this case.

2. Defendants' Motion to Modify Asset Freeze to Permit Payment of Attorneys' Fees (Doc. 51) is **GRANTED in part**. The asset freeze is modified to the extent that a disbursement of $164,938.95 (the amount actually billed, minus 10%) to Gunster, Yoakley & Stewart, PA is permitted. Further fee requests will be adjudicated at a later time. The asset freeze is also modified to the extent that a disbursement of an additional $25,000 to Michael Rando and

[1] Judge Richardson is willing to conduct a settlement conference, but he is unavailable on the parties' requested date.

[2] It is up to Judge Richardson whether and when to have the pre-settlement conference call.

Valerie Rando is permitted for personal expenses. The Receiver should remit these sums no later than **July 8, 2022**.

3. As required by the Temporary Restraining Order (Doc. 12 at 34), no later than **July 8, 2022**, the Receiver shall file a motion with justification and supporting documents as to how much the Receiver and her team should receive in fees and costs through July 1, 2022.

4. Otherwise, the Court has the FTC's Motion for Preliminary Injunction (Doc. 4), the FTC and Defendants Elite Customer Services, LLC and Resource Management Investments, LLC's Joint Motion for Preliminary Injunction (Doc. 37), and the parties' responses to the Court's Order to Show Cause (Docs. 49, 54) under review. If the parties do not settle this case at the settlement conference, the Court will likely require an evidentiary hearing before deciding whether a preliminary injunction is appropriate. No later than **July 8, 2022**, the FTC and Defendants (except Elite and Resource Management) shall file a statement informing the Court as to what steps need to be taken to make an evidentiary hearing fruitful and suggesting potential dates for the hearing.

5. The Court will wait to enter a Case Management and Scheduling Order until after it rules on the motions for preliminary injunction. The parties are reminded that all other deadlines are stayed pending resolution of the motions for preliminary injunction. (See Doc. 24).

DONE AND ORDERED in Jacksonville, Florida the 29th day of June, 2022.

Timothy J. Corrigan
TIMOTHY J. CORRIGAN
United States District Judge

ckm
Copies:

Counsel of record